

Message Text

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PAGE 01 MADRID 08181 181653Z
ACTION EUR-12

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C O N F I D E N T I A L MADRID 08181

E.O. 11652: XGDS-1
TAGS: CSCE, SHUM, UR, SP
SUBJECT: BILATERAL APPROACHES ON SOVIET TRIALS

REF: STATE 179532

1. IN THE ABSENCE OF THE MFA'S DIRECTOR GENERAL FOR EUROPEAN AND ATLANTIC AFFAIRS (ELIAS), WE APPROACHED JOAQUIN PEREZ GOMEZ, CHIEF FOR EASTERN EUROPE AND ACTING DIRGEN IN ELIAS' ABSENCE, AND REVIEWED THE POINTS MADE IN REFTEL WITH HIM, INCLUDING POINT F.
2. PEREZ SAID THE GOS WAS ALSO CONCERNED WITH THE TRIALS, THEIR SIGNIFICANCE AND POSSIBLE IMPACT. IN ADDITION TO THE STATEMENT ALREADY RELEASED (MADRID 8135), HE HAD HIMSELF THE DAY BEFORE TOLD THE EAST GERMAN AMBASSADOR HERE OF THE GOS POSITION ON THE TRIALS, AND MORE BROADLY ON HUMAN RIGHTS AND THEIR PROTECTION. THE FINAL ACT WAS A SINGLE PIECE, PEREZ SAID HE POINTED OUT, AND HUMAN RIGHTS VIOLATIONS CANNOT BE COVERED UP UNDER NON-INTERFERENCE PROVISIONS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MADRID 08181 181653Z

3. THE GOS WAS ALSO CONCERNED, HOWEVER, SAID PEREZ, ABOUT HOW IT HANDLED ITSELF IN THIS CASE, BEARING IN MIND THAT IT HAD ABSTAINED ON THE UN RESOLUTION CONDEMNING HUMAN RIGHTS VIOLATIONS IN CHILE. THAT ABSTENTION HAD DRAWN CRITICISM FROM THE SPANISH LEFT, PEREZ WENT ON, AND IF THE GOVERNMENT WERE TO TAKE A SUBSTANTIALLY DIFFERENT APPROACH REGARDING THE SOVIET

UNION, IT RISKED EXPOSING ITSELF TO CHARGES OF DISCRIMINATION AND DOUBLE STANDARDS.

4. THE TASK BEFORE US, SAID PEREZ, WAS TO DETERMINE WHAT WAS THE PRECISE DEGREE AND KIND OF ACTION THAT WOULD MOST EFFECTIVELY SUPPORT THE CAUSE OF HUMAN RIGHTS. HE FELT THAT THE USSR AT THIS TIME WAS FEELING INSECURE BECAUSE OF UNCERTAINTIES OVER THE LEADERSHIP SUCCESSION THERE, AND WAS THUS PARTICULARLY ANXIOUS TO HOLD DOWN ANY SIGNS OF DISSENT. THIS, IN HIS VIEW, MAY HAVE BEEN BEHIND THE ACTION IN THE THREE CASES OF ORLOV, GINZBURG, AND SHCHARANSKIY. THIS WAS PARTICULARLY UNFORTUNATE IN THE CASE OF SHCHARANSKIY. IN FACT, GIVEN PRESIDENT CARTER'S SPECIFIC ASSERTIONS ABOUT HIM, THE SOVIET ACTION WAS "ALMOST A PROVOCATION", PEREZ SAID. IF HE WAS RIGHT ABOUT THE ROLE OF SOVIET INSECURITY, ON THE OTHER HAND, THIS WAS LESS A TEST OF STRENGTH THAN A DISPLAY OF WEAKNESS.

5. PEREZ UNDERTOOK TO INITIATE GOS CONSIDERATION OF OUR DEMARCHE, AND CONSIDERED IT "POSSIBLE" THE GOS WOULD COMMUNICATE DIRECTLY WITH THE SOVIETS ON THE MATTER. WE PLAN TO FOLLOW UP ON THIS WITH DIRECTOR GENERAL ELIAS WHEN HE RETURNS FROM THE CURRENT GIBRALTAR TALKS WITH THE BRITISH.

6. WHEN SUBJECT CAME UP IN PASSING DURING JULY 17
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PAGE 03 MADRID 08181 181653Z

LUNCH WITH AMBASSADOR, FOREIGN MINISTER OREJA COMMENTED THAT PCE HAD CONDEMNED SOVIET DISSIDENT TRIALS IN MUCH STRONGER TERMS THAN GOS HAD USED OR WAS LIKELY TO USE.

7. COMMENT: IN ADDITION TO THE CHILEAN COMPARISON AND THE GENERAL SPANISH FEELING THAT QUIETER DIPLOMACY ON THEIR PART MAY BE MORE EFFECTIVE WITH THE SOVIETS, THE GOS WILL ALSO VERY MUCH HAVE IN MIND AS IT CONSIDERS THE MATTER THAT MADRID HOPES TO HOST THE NEXT CSCE MEETING. TODMAN

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